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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,213	12/07/2005	Max De Groot	032326-296	8823

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EXAMINER

TORRES, MARCOS L

ART UNIT	PAPER NUMBER
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2617

NOTIFICATION DATE	DELIVERY MODE
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10/11/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com
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Office Action Summary

Application No.

10/529,213

Applicant(s)

DE GROOT, MAX

Examiner

Marcos L. Torres

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda US 20020184539A1 in view of Labaton US 20060005028A1.

As to claim 1, Fukuda discloses a process to identify a user of the terminal resource by a server resource in a telecommunication network, using a first identifier (see par. 0049), where an encryption algorithm with public key is implemented in the terminal resource (see par. 0160), comprising the following steps: generating a random number in the user terminal resource determining in the terminal resource of a second identifier as a function of the random number, at least from part of the first identifier and from the result of executing the encryption algorithm to which at least the random number is applied (see par. 0009, 0010) transmitting the second identifier to the server

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resource, and in the server resource, retrieval of retrieving the first identifier at least by executing the encryption algorithm to which a private key and, at least partially, the second identifier are applied, so that the server resource verifies that the first retrieved identifier is written into a memory of the server resource (see par. 0054-0061). Fukuda does not specifically disclose using an asymmetrical algorithm. In an analogous art, Labaton discloses using an asymmetrical algorithm (see par.0036, 0068). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use an asymmetrical algorithm for the simple purpose of using existing algorithm such as RSA, ECDSA, etc.

As to claim 2, Fukuda discloses a process in which the at least one authentication further including the step of authenticating the terminal resource by the server resource (see par. 0054-0061).

As to claim 3, Fukuda discloses a process in which the determination in the terminal resource includes application of the generated random number to the encryption algorithm with the public key to produce an encrypted random number, application of the generated random number and of the first identifier to encryption algorithm implemented in the terminal resource, to produce an encrypted identifier, and concatenation of the encrypted random number and of the encrypted identifier in the second identifier to be transmitted to the server resource (see par. 0009, 0010), and wherein the retrieval in the server resource includes application of the encrypted random number to the encryption algorithm with the private key, in order to retrieve the generated random number, and application of the retrieved random number, and of the

encrypted identifier to the encryption algorithm, in order to retrieve the first identifier (see par. 0054-0061). Fukuda does not specifically disclose using an asymmetrical algorithm. In an analogous art, Labaton discloses using an asymmetrical algorithm (see par.0036, 0068).

As to claim 4, Fukuda discloses a process wherein the determination in the terminal resource includes to produce the second identifier to be transmitted to the server resource and wherein the retrieval in the server resource includes application of the second identifier to the encryption algorithm with the private key in order to retrieve the first identifier. Fukuda does not disclose an application of the generated random number concatenated to the first identifier, to the asymmetrical algorithm with the public key. In an analogous art, Labaton discloses an application of the generated random number concatenated to the first identifier, to the asymmetrical algorithm with the public key (see par. 0036,0068-0069).

As to claim 5, Labaton discloses process further including the steps of changing the public key and the private key for the asymmetrical algorithm in the server resource, and downloading of the changed public key from the server resource to the terminal resource (see par. 0049).

As to claim 6, Fukuda discloses a process wherein the generation of the random number is periodic in the terminal resource (see par. 0205).

As to claim 7, Fukuda discloses a process wherein the generation of the random number occurs following activation of a service application (see par. 0010).

As to claim 8, Fukuda discloses a user terminal resource identifying itself, or identifying a user of the latter, to a server resource, through a telecommunication network using a first identifier (see par. 0049), an encryption algorithm with a public key implemented in the terminal resource (see par. 0160), comprising: a resource to generate a random number, and a resource, to determine a second identifier as a function of the random number, at least from part of the first identifier and from the result of executing the encryption algorithm to which at least the random number is applied in order to transmit the second identifier to the server resource (see par. 0009, 0010), which retrieves the first identifier at least by executing the encryption algorithm to which a private key and, at least partially, the second identifier are applied, and which verifies that the first retrieved identifier is written into a memory of the server resource (see par. 0054-0061). Fukuda does not specifically disclose using an asymmetrical algorithm. In an analogous art, Labaton discloses using an asymmetrical algorithm (see par. 0036, 0068). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use an asymmetrical algorithm for the simple purpose of using existing algorithm such as RSA, ECDSA, etc.

As to claim 9, Fukuda discloses a user terminal resource which wherein the resource to generate a random number and the resource to determine a second identifier are included in a portable electronic object of the chip card type (see par. 0024, 0086).

Conclusion

Any response to this Office Action should be mailed to:

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for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcos L Torres
Examiner
Art Unit 2617



GEORGE ENG
SUPERVISORY PATENT EXAMINER